

**THE TOWN OF HILTON HEAD ISLAND
REGULAR TOWN COUNCIL MEETING**

Date: Tuesday, August 16, 2016

Time: 4:00 P.M.

Present from Town Council: David Bennett, *Mayor*; Bill Harkins, *Mayor Pro Tem*; David Ames, Marc Grant, Tom Lennox, Kim Likins, John McCann, *Council Members*

Present from Town Staff: Steve Riley, *Town Manager*; Greg DeLoach, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Scott Liggett, *Director of Public Projects and Facilities*; Mike Mayers, *Deputy Fire Chief - Operations*; Brian Hulbert, *Staff Attorney*; Susan Simmons, *Director of Finance*; John Troyer, *Deputy Director of Finance*; Tom Fultz, *Director of Administrative Services*; Jill Foster, *Deputy Director of Community Development*; Shawn Colin, *Deputy Director of Community Development*; Jennifer Ray, *Urban Designer*; Shea Farrar, *Senior Planner*; Marcy Benson, *Senior Grants Coordinator*; Bob Klein, *Building Official*; Melissa Cope, *Systems Analyst*; Vicki Pfannenschmidt, *Executive Assistant*

Present from Media: Teresa Moss, *Island Packet*; *Two Reporters from local TV Stations*

1) CALL TO ORDER

Mayor Bennett called the meeting to order at 4:00 p.m.

2) PLEDGE TO THE FLAG

3) INVOCATION

4) FOIA Compliance – Public notification of this meeting has been published, posted and distributed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

5) Proclamations and Commendations

a. Honored Islanders Awards

- a. Jan Cale
- b. Terry Herron
- c. Blaine Lotz

Mayor Bennett made remarks concerning each of the Honored Islanders and their contributions to Hilton Head Island and the surrounding communities. All recipients were present to accept their awards.

b. Beaufort-Jasper Water & Sewer Authority/Hilton Head-Broad Creek-South Island Public Service Districts– *Imagine a Day Without Water Campaign*

Representatives from all four entities were present to accept the proclamation.

6) Approval of Minutes

a. Town Council Meeting, July 19, 2016

Mr. Harkins moved to approve. Mr. McCann seconded. The minutes of the July 19, 2016 were approved by a vote of 6-0-1. Mayor Bennett abstained as he was not present at the meeting.

7) Report of the Town Manager

a. Planning Commission Semi-Annual Update – Alex Brown, Chairman

Mr. Brown provided an update of the activities of the Commission for the previous six month period.

b. USCB Quarterly Update

Mr. Riley reviewed the updates from USCB and Town Staff.

c. Proposed 2017 Town Council Regular Meeting Dates

Mr. Harkins moved to approve and that Town Council cancel the August 15 meeting and activate the August 1 meeting and that they pursue an alternative for the January 3 meeting. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0.

d. Town Manager's Items of Interest

Mr. Riley reviewed the Items of interest and upcoming events.

8) Reports from Members of Council

a. General Reports from Council

Mr. McCann referenced the logging taking place on the Island and asked if there was a way the Town could notify the public via the website regarding upcoming activities. Mr. Riley said staff would discuss and come up with suggestions.

Mr. Lennox expressed his appreciation to the Circle to Circle Committee and said he looked forward to Mr. Gant's report and the Committee recommendations. Mayor Bennett echoed his sentiments noting he was very pleased with the entire process of the Committee.

Mr. Harkins stated he would like to reach out to Senator Davis and others that may be very well-informed regarding heirs' property to learn the current legal environment relative to heirs' property and if there is anything from a policy standpoint the Town might do to help with the situation. Mayor Bennett was in agreement. Mr. Grant asked if Town Council could meet with attorneys that deal with heirs' property to look at possible Town ordinances to assist. Mayor Bennett stated he had been contemplating Native Island preservation districts and the need for such at appropriate places in the context of the Island as a whole. He suggested the Public Planning Committee might be a good place to evaluate the matter. He said he would be speaking with Mr. Lennox regarding the subject in the coming weeks.

Mr. Grant also requested that Town Staff and Island Rec look into the needs of the 12 Jewels of Life and the use of Green Shell Park and meeting the needs of the children in that community. Mr. Riley stated staff will meet with the parties concerned to discuss the matter.

Mr. McCann inquired as to the next step regarding the Arts Center building review report. Mayor Bennett said the report, in conjunction with the concept that Mr. Lennox brought forward, would go to the Venue Committee for analysis of the building, organization and the product that's offered by the Arts Center of Coastal Carolina.

Mrs. Likins inquired as to the status of an action plan for the Zika virus. Mr. Riley responded that the County has a mosquito control program and has taken the lead on the issue. He said there would be a link provided on the Town website to DHEC's most current information.

Mayor Bennett referenced a visit to the Marine Mammal Center in California, the largest mammal hospital in the Country. He noted the harm that comes to these animals is from human use of plastics and the impact on marine wildlife. He stated the Town needs to give serious consideration about taking proactive steps in terms of the Town's environmental sustainability. He said he would like to discuss the issue at the annual workshop. Mr. Ames concurred and stated the community needs to recommit itself to the core value of sustainability. He said he felt the visioning process will play a significant part of getting there.

b. Report of the Intergovernmental Relations Committee – Bill Harkins, Chairman

No report.

c. Report of the Community Services Committee – Kim Likins, Chairman

Mrs. Likins stated the Venue Committee met on July 23 and heard from numerous organizations and on August 3 received a presentation from Councilman Lennox regarding the proposal for the Town to take ownership of the Arts Center of Coastal Carolina building, along with presentations from the Mitchelville Preservation Project and the Gullah Celebration Committee. She said the Committee received five RFQ proposals for the consultant work and will be conducting future interviews and hope to make the selection by early September. Mrs. Likins added that the first Arts Talk was held on August 4 at Java Burrito and there were well over 50 citizens in attendance and the Committee Facebook page has launched and encouraged all to go to the Experience Hilton Head Island page on Facebook and like it.

d. Report of the Public Planning Committee – Tom Lennox, Chairman

Mr. Lennox stated the Committee will hold a Special meeting on Thursday, August 18 at 3:00 p.m. and go into Executive Session to discuss the names submitted for appointment to the five at-large seats on the Vision Project Management Team and to review the recommendations pertaining to the selection of a Vision Project consultant.

e. Report of the Public Facilities Committee – David Ames, Chairman

No report.

f. Report of the Public Safety Committee - Marc Grant, Chairman

Mr. Grant stated the Committee met on August 1 to review the 2nd Quarter Crime Statistics with Captain Joey Woodward conducting a presentation and reviewing all areas of the stats.

g. Report of the Finance and Administrative Committee - John McCann, Chairman

No report.

9) Unfinished Business

a. Second Reading of Proposed Ordinance 2016-11

Second Reading of Proposed Ordinance 2016-11 of the Town Of Hilton Head Island adopting the 2016 Beach Management Plan; and to provide for severability and an effective date.

See below following Item 12.

b. Second Reading of Proposed Ordinance 2016-20

Second Reading of Proposed Ordinance 2016-20 of the Town of Hilton Head Island, South Carolina, authorizing the execution of a lease with Diamond Towers IV LLC, for property owned by the Town of Hilton Head Island, South Carolina, known as a portion of the Islander's Beach Park Tract, and authorizing the execution of two easements in favor of Diamond Towers IV LLC, encumbering town owned land, known as a portion of the Islander's Beach Park Tract, pursuant to the authority of S.C. Code Ann. Sec. 5-7-40 (Supp. 2012), and Sec. 2-7-20, Code of the Town of Hilton Head Island, South Carolina, (1983); and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0.

10) New Business

a. Consideration of a Recommendation – Circle to Circle Committee

Consideration of a Recommendation Town Council consider the final report and recommendations from the Circle to Circle Committee.

Mayor Bennett invited Mr. Gant to approach the dais and conduct his presentation. Mr. Gant presented the Committee report and recommendations in detail. Glen Walters from Design Workshop presented regarding the vision. After lengthy discussion of Council and public comment from a number of residents, Mayor Bennett suggested an ad hoc committee be created with two members of Council, two members of the Planning Commission and two members of the Circle to Circle Committee as the membership. He proposed that the Committee would review the report and prioritize the items for action. Mr. Grant suggested utilizing a Committee that is already established. He also expressed concerns regarding the use of food trucks. Mr. McCann suggested using the Public Planning Committee noting the connection with the vision planning. Mr. Lennox stated that if Council wants to initiate a call to action they need to do more than consider the final report. He suggested that the motion should read that Town Council create an implementation plan using the recommendations based in the Circle to Circle Committee and the plan consist of priorities, cost and funding. He added that on page 92, Objective 9 has to deal with policy recommendations coming from the Committee. He pointed out the Committee has already assigned accountability and it lies with the Planning Commission. He recommended a change to the frequency to which the Planning Commission reports from annually to monthly or bi-monthly. Mr. Ames stated that an ad hoc committee has a finite life and he sees this action as finite. He noted what Council wants the Committee to bring back are the items that have the highest priority and impact for next season and what can be done quickly to impact the amount of traffic in the area.

Mr. Gant offered to synthesize the report into a single page and a Committee hold staff workshops regarding recommendations for implementation. Mr. Brown suggested assigning it to the Comprehensive Plan Committee of the Planning Commission to prioritize. Mr. McCann stated the moving of traffic from the Coligny area to other parts of the Island is not something that can be done quickly noting the residential areas that are not prepared for the change. He stated it needs to be well thought out. Mr. Gant explained he thinks the key is to get started quickly. Mr. Lennox said that at some point it will be the responsibility of Council to reshuffle the deck that pertains to human resources and financial resources. He

stated that with the recent budget nothing has been identified for projects like this. Mayor Bennett said that within the confines of the recommendations, many of them don't have a cost associated but how to they sort through them and get them moving. Mrs. Likins spoke in support of the ad hoc committee approach with Council member representation on the committee. Mayor Bennett reviewed the suggested ad hoc committee membership as two members from the Circle to Circle Committee, two members from the Planning Commission and two members from Council. Mr. Harkins moved that the Town Council approve the plan as set forth by Mr. Gant and concurrently create an ad hoc task force to identify priorities and recommend Town immediate action by the first meeting in October. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0.

b. Consideration of a Resolution – Circle to Circle Committee

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, SC to dissolve the Circle to Circle Committee.

Mr. Lennox moved to approve. Mrs. Likins seconded. Stu Rodman suggested that rather than create a new committee Council should use the current committee format for the recommendations. The motion was unanimously approved by a vote of 7-0.

c. Consideration of a Recommendation – BCSO Audit Firm

Consideration of a Recommendation of the Finance Administrative Committee that Town Council authorize the Town Manager to enter into a contract with Public Safety Strategies Group.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0.

d. Consideration of a Recommendation – Lock-Outs

Consideration of a Recommendation that Town Council approve the recommendation of the Public Safety Committee from its July 11, 2016 meeting concerning lock-outs.

Mr. Harkins moved to approve. Mr. McCann seconded. Mr. Chet Williams referenced the opinion letter from Robinson McFadden Law Firm and asked that before Council move forward with the above recommendation that the original opinion letter be released. Mr. Bob Hopkins, an Ocean Walk property owner, asked if there was any intent to release the letter. The Mayor stated that Council has not yet made that decision. The motion was unanimously approved by a vote of 7-0. Mayor Bennett stated he would like Mr. Lennox and Mr. Ames to be the Town Council representatives at the meeting. Mr. Grant added that he wanted to make sure that the representatives are not there to make policy or run Ocean Walk or any other apartment complex.

**e. First Reading of Proposed Ordinance 2016-22 – To be considered after Agenda Item 13)
5:30 p.m. Public Hearing – Beaufort County Hazard Mitigation Plan 2015 Update**

First Reading of Proposed Ordinance 2016-22 of the Town of Hilton Head Island to adopt the "Beaufort County Hazard Mitigation Plan 2015 Update" as an appendix of the "Hilton Head Island Comprehensive Plan"; and to provide for severability and an effective date.

See below following Item 13.

f. First Reading of Proposed Ordinance 2016-23

First Reading of Proposed Ordinance 2016-23 of the Town of Hilton Head Island, South Carolina, authorizing the execution of a utility easement agreement with Hilton Head Public Service District to encumber property owned by the Town of Hilton Head Island, South Carolina, pursuant to the authority of S.C. Code Ann. Sec. 5-7-40 (Supp. 2012), and Sec. 2-7-20, code of the Town of Hilton Head Island, South Carolina, (1983); and providing for severability and an effective date.

Mr. Harkins moved to approve. Mrs. Likins seconded. The motion was unanimously approved by a vote of 7-0.

g. First Reading of Proposed Ordinance 2016-24

First Reading of Proposed Ordinance 2016-24 of the Town of Hilton Head Island, South Carolina, authorizing the execution of a Memorandum of Understanding with, and the lease of town-owned real property to, The Sandbox: A Hilton Head Area Children’s Museum, Inc., related to the development and lease of real property owned by the Town of Hilton Head Island, South Carolina, pursuant to the authority of S.C. Code Ann. Sec. 5-7-40 (Supp. 2012), and Sec. 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0.

11) Appearance by Citizens

Frank Babel addressed Council reading the activities of the Bicycling Advisory Committee and encouraged Council to move forward with creating new and improving bike paths.

Mr. Tai Scott addressed Council regarding Native Island issues.

Mr. Ric Fisher addressed Council regarding Arbor Nature grinding.

12) 5:00 p.m. – Public Hearing – 2016 Beach Management Plan

Mayor Bennett opened the Public Hearing at 5:02 p.m. Shawn Colin reviewed the specifics and timeline regarding the plan. Mayor Bennett asked if anyone would like to speak regarding the plan. No one came forward. Mayor Bennett closed the Public Hearing at 5:04 p.m.

9.a. Second Reading of Proposed Ordinance 2016-11– To be considered after Agenda Item

12) 5:00 p.m. Public Hearing – Beach Management Plan

Second Reading of Proposed Ordinance 2016-11 of the Town Of Hilton Head Island adopting the 2016 Beach Management Plan; and to provide for severability and an effective date.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0.

13) 5:30 p.m. - Public Hearing – Beaufort County Hazard Mitigation Plan 2015 Update

Mayor Bennett opened the Public Hearing at 5:32 p.m. Marcy Benson reviewed the specifics and timeline regarding the plan. Mayor Bennett asked if anyone would like to speak regarding the plan. No one came forward. Mayor Bennett closed the Public Hearing at 5:35 p.m.

10.e. First Reading of Proposed Ordinance 2016-22 – To be considered after Agenda Item 13) 5:30 p.m. Public Hearing – Beaufort County Hazard Mitigation Plan 2015 Update

First Reading of Proposed Ordinance 2016-22 of the Town of Hilton Head Island to adopt the “Beaufort County Hazard Mitigation Plan 2015 Update” as an appendix of the “Hilton Head Island Comprehensive Plan”; and to provide for severability and an effective date.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion as unanimously approved by a vote of 7-0.

14) Executive Session

Mr. Riley stated he needed an Executive Session for Land Acquisition Matters: Discussion of negotiations incident to the proposed sale, lease or purchase of property: (1) related to a parcel in the Folly Field Area; (2) related to parcels near the intersection of US 278 and Folly Field Road; (3) related to a parcel in the Skull Creek area; (4) related to a parcels in the Coligny area; and (5) related to a parcel near Dillon Road. Legal Matters: Receipt of Legal Advice: (1) related to pending litigation concerning a BZA appeal; (2) related to pending litigation concerning a Town Council member; (3) related to potential litigation associated with violations of the Building Code and Land Management Ordinance. Economic Development: (1) Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging the location of expansion of industries or other business in the area served by the public body. Personnel Matters: (1) Town Manager’s Evaluation and Employment Status.

At 7:02 p.m. Mr. Harkins moved to go into Executive Session for the reasons set forth by the Town Manager. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0.

15) Possible actions by Town Council concerning matters discussed in Executive Session

Mayor Bennett called the meeting back to order at 10:25 p.m. and stated no action was taken during Executive Session. Council then addressed items 10.f. and 10.g. under New Business. Results are above under the respective items.

16) Adjournment

Mayor Bennett adjourned the meeting at 10:27 p.m.

Vicki L. Pfannenschmidt
Executive Assistant/Town Clerk

Approved: 09/20/2016

David Bennett, Mayor